

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Bail Appl..No. 6617 of 2007()

CRIME NO. 25/07 OF TIRUR EXCISE RANGE
CMP.5088/2007 of J.M.F.C.,TIRUR
.....

PETITIONER/ACCUSED

BABU, AGED 34 YEARS, S/O.KUMARAN,
MAPPALA HOUSE, KAVILAKKAD, PURATHUR,
TIRUR, MALAPPURAM.

BY ADV. SRI.C.V.MANUVILSAN
SRI.P.K.KHALEEMUDHEEN
SRI.P.C.ANIL KUMAR

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY EXCISE
INSPECTOR, TIRUR RANGE, THROUGH PUBLIC
PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A.No. 6617 of 2007

Dated this the 31st day of October, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He had come before this Court claiming anticipatory bail and by order dt. 17.10.2007 in B.A. 6310 of 2007 the prayer for anticipatory bail was rejected. The petitioner has subsequently surrendered before the learned Magistrate on 23.10.2007.

2. The crux of the allegations against the petitioner is that he was found in possession of 500 ml. of coloured arrack. There is also an allegation that he obstructed the discharge of the official duties by the Excise Officials. Investigation is in progress. The co-accused have not been arrested.

3. I have adverted to the facts in detail in the order referred above. This order must be read in continuation of that order. I am not hence adverting to facts in any greater detail in this order.

4. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the

Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

5. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 7.11.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

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(R. BASANT)
Judge

